

1 APPEARANCES:

(Cont'd)

2 MS. LESLIE PUGH
3 527 East Capitol Avenue
4 Springfield, Illinois 62701

5 (Appearing on behalf of the Staff of the
6 Accounting Department, Financial
7 Analysis Division, Illinois Commerce
8 Commission)
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1	<u>I N D E X</u>		
2	<u>WITNESSES</u>	<u>DIRECT</u>	<u>CROSS</u> <u>REDIRECT</u>
3	<u>RECROSS</u>		
4	LEONARD MANS		
5	By Ms. Knowles	17 (CIPS)	
6	By Ms. Knowles	27 (UE)	
7	DONALD L. RICHARDSON		
8	By Ms. Knowles	21 (CIPS)	
9	By Ms. Knowles	31 (UE)	
10	LESLIE PUGH	26 (CIPS)	
11	By Judge Jones	32 (UE)	
12			
13	<u>EXHIBITS</u>	<u>MARKED</u>	<u>ADMITTED</u>
14	CIPS 1		19
15	CIPS 2		25
16	CIPS 3 & 4		21
17	CIPS 5		20
18	Staff 1 (CIPS)		27
19	UE 1		29
20	UE 2		32
21	UE 34, 5		30
22	Staff 1 (UE)		33/34

1 JUDGE JONES: Okay. Thank you.

2 Commission Staff.

3 MS. PUGH: My name is Leslie Pugh. I'm
4 appearing on behalf of the Accounting Department of
5 the Financial Analysis Division of the Illinois
6 Commerce Commission. My business address is 527
7 East Capitol Avenue, Springfield, Illinois 62701.
8 My business phone is 217/785-5442.

9 JUDGE JONES: Thank you.

10 Are there any other appearances? Let
11 the record show there are not.

12 Today's hearing is part of a schedule
13 that was put in place previously in this docket.
14 Since that time there have been some testimony
15 filings, etc.

16 At this time, for purposes of briefly
17 going over the agenda for today's hearing and
18 related purposes, we hereby go off the record.

19 (Whereupon at this point in
20 the proceedings an
21 off-the-record discussion
22 transpired.)

1 JUDGE JONES: Back on the record.

2 There was an off-the-record discussion
3 for the purposes indicated.

4 There are two Company witnesses and one
5 Staff witness who will be offering testimony. It's
6 all been prefiled. I believe all the prefiled
7 testimony is going to be offered into the record as
8 filed electronically, so there will be no hard
9 copies of any of the testimony or attachments to be
10 marked by the Court Reporter. We will identify
11 what's being offered in just a minute.

12 There were some affidavits provided, but
13 the witnesses are all available either in person or
14 by phone, so the witnesses will simply be taking
15 the stand and identifying their testimony
16 basically, plus I believe there are a couple
17 clarifying questions for one of the two Company
18 witnesses at the time that witness is called.

19 So with that, I think we're ready to
20 proceed with the Company witnesses.

21 I should note for the record that Ameren
22 through counsel is participating by telephone.

1 All right. Ms. Knowles, who is the
2 Company's first witness?

3 MS. KNOWLES: The Company calls Leonard Mans.

4 JUDGE JONES: All right. Mr. Mans, please raise
5 your right hand to be sworn as a witness.

6 (Whereupon the witness was
7 sworn by Judge Woods.)

8 JUDGE JONES: And Mr. Mans is testifying by
9 telephone.

10 LEONARD MANS
11 called as a witness on behalf of the Respondent,
12 having been first duly sworn, was examined and
13 testified as follows:

14 DIRECT EXAMINATION

15 BY MS. KNOWLES:

16 Q. Mr. Mans, let me show you what has been
17 previously marked CIPS Exhibit 1 and ask -- which
18 consists of six pages of testimony with two
19 attached schedules that have been denominated
20 Schedule A and Schedule B and ask if you have
21 caused to be prepared and filed in this matter the
22 testimony that I'm showing to you today?

1 THE WITNESS:

2 A. Yes.

3 Q. And if I asked you those questions today on
4 the record, would your responses be the same?

5 A. Yes.

6 MS. KNOWLES: The Company offers into evidence
7 CIPS Exhibit 1 consisting of the Direct Testimony
8 of Leonard Mans along with attached schedules.

9 JUDGE JONES: All right. And that is in the
10 CIPS docket. Correct?

11 MS. KNOWLES: Yes.

12 JUDGE JONES: All right. Any objection to that?

13 MS. PUGH: No.

14 JUDGE JONES: Okay. There is none. That
15 request is granted. For the record, Mr. Mans's
16 direct testimony was identified as Exhibit 1. It
17 contains Schedules A and B attached to it. The
18 filing date for that electronic filing was July
19 9th, at least up to file number 11, and then the
20 balance of Schedule B consisting of five more
21 numbered files was shown as filed on July 11th. So
22 that exhibit with the attachments is part of the

1 evidentiary record as filed electronically in this
2 matter.

3 (Whereupon CIPS Exhibit 1 was
4 received into evidence.)

5 MS. KNOWLES:

6 Q. Mr. Mans, let me show you what has been
7 previously marked in this matter as CIPS Exhibit 5
8 and denominated as Rebuttal Testimony of Leonard
9 Mans along with an attached schedule and ask if you
10 recognize that testimony?

11 A. Yes, I do.

12 Q. Did you cause to be prepared and filed in
13 this matter, Docket Number 01-0378, this rebuttal
14 testimony?

15 A. Yes.

16 Q. And if I asked you those same questions
17 today, would your answers be the same as when you
18 prepared and filed your prefiled testimony?

19 A. Yes, it would be.

20 MS. KNOWLES: The Company offers the Rebuttal
21 Testimony of Leonard Mans, CIPS Exhibit 5, into
22 evidence.

1 JUDGE JONES: Okay. Thank you.

2 Any objection?

3 MS. PUGH: No.

4 JUDGE JONES: All right. There is no objection.

5 The request to admit Mr. Mans's rebuttal testimony

6 consisting of Exhibit 5 and Schedule 1 is granted.

7 That testimony was filed electronically on October

8 the 19th. It is being admitted as filed

9 electronically.

10 (Whereupon CIPS Exhibit 5 was

11 received into evidence.)

12 Is Exhibit 4 being offered too?

13 MS. KNOWLES: Yes. I'd like to offer also

14 Exhibit 4 and Exhibit 3. CIPS Exhibit 3 is the

15 publication certificates. CIPS Exhibit 4 are

16 responses to data requests that were served by the

17 Staff.

18 JUDGE JONES: It's my understanding that Staff

19 has no objection to any of the Company exhibits

20 that are going to be offered. Is that right?

21 MS. PUGH: Right.

22 JUDGE JONES: All right. So Exhibit Number 4

1 filed on October the 19th and Exhibit 3 filed on
2 August the 21st are admitted into the evidentiary
3 record.

4 (Whereupon CIPS Exhibits 3
5 and 4 were received into
6 evidence.)

7 (Witness excused.)

8 MS. KNOWLES: At this time CIPS would like to
9 call its next witness, Mr. Donald Richardson.

10 JUDGE JONES: Okay. Mr. Richardson, please
11 raise your right hand to be sworn.

12 I should note that Mr. Mans and
13 Mr. Richardson are testifying by phone.

14 (Whereupon the witness was
15 sworn by Judge Jones.)

16 JUDGE JONES: Thank you.

17 DONALD L. RICHARDSON
18 called as a witness on behalf of the Respondent,
19 having been first duly sworn, was examined and
20 testified as follows:

21 DIRECT EXAMINATION

22

1 BY MS. KNOWLES:

2 Q. Mr. Richardson, let me hand you what has
3 been previously marked as CIPS Exhibit 2 and
4 denominated the Direct Testimony of Donald
5 Richardson, which consists of approximately 15
6 pages. Do you recognize that testimony,
7 Mr. Richardson?

8 A. Yes.

9 Q. And if I asked you those same questions
10 today on the record, would your responses be the
11 same?

12 A. Yes.

13 Q. Let me follow up on a couple of items.
14 Turning your attention to page 8 of your direct
15 testimony, has the Company prepared a projected
16 timeline for remediation activities at the CIPS and
17 GP sites?

18 A. Yes.

19 Q. Okay. And in your testimony did you
20 prepare a chart that sets forth that projected
21 timeline?

22 A. Yes.

1 **Q.** Could you please elaborate for the purposes
2 of the record what that chart is meant to depict?

3 **A.** The chart is our attempt to give our best
4 estimate of one year of investigating a site and
5 then the next year to complete a cleanup on that
6 site.

7 **Q.** Okay. So for the purposes of the record,
8 the chart has three columns. The first column is
9 Year, the second column is the Cleanups, and the
10 third column has the heading called Investigations
11 and Designs. The year would indicate the year in
12 which the remediation is scheduled to be completed
13 along with the year that the investigation of
14 another site is scheduled to occur. Is that
15 correct?

16 **A.** That's correct.

17 **Q.** And then turning your attention to page 10,
18 there is a -- in reference to the nature of the
19 involvement of IEPA and the Company when
20 environmental remediations are investigated and
21 completed, there's a rather inartful phrase of the
22 IEPA is kept fully involved. Do you see that, that

1 testimony on page 10?

2 **A.** Yes.

3 **Q.** Okay. What is meant by -- could you please
4 describe for the record the level of involvement
5 that the Company -- the interaction the Company has
6 with IEPA?

7 **A.** When we develop plans to investigate a
8 site, we contact the EPA initially, have a meeting,
9 discuss the site. Then it's followed up with
10 written work plans as far as our investigation for
11 their comment and approval, and then when a site is
12 started for investigation -- I'm sorry -- for a
13 cleanup, plans are submitted to the EPA, written
14 plans, which are then commented on by the Illinois
15 EPA and approved, and then during a cleanup process
16 the EPA is informed of all progress at the site
17 along with their own site visits. At the
18 completion of a cleanup the Company submits a
19 closure plan to the EPA for their approval.

20 **Q.** Does IEPA approve every major phase of the
21 cleanup process?

22 **A.** Yes.

1 MS. KNOWLES: No further questions.

2 The Company offers into evidence the
3 Direct Testimony of Donald Richardson previously
4 marked as CIPS Exhibit 2.

5 JUDGE JONES: Okay. The Direct Testimony of
6 Mr. Richardson identified as Exhibit 2 and filed
7 electronically on July 9, 2001, is admitted into
8 the evidentiary record as filed by electronic
9 means.

10 (Whereupon CIPS Exhibit 2 was
11 received into evidence.)

12 JUDGE JONES: All right. I guess there's a
13 couple of different ways to go here, but if you
14 want to go ahead and -- well, I'll tell you what.
15 I guess we could just go ahead and do the CIPS
16 Staff witness and then just kind of keep it batched
17 that way, so please stand and raise your right hand
18 to be sworn.

19 (Whereupon the witness was
20 sworn by Judge Jones.)

21 JUDGE JONES: All right. At this time if you
22 would identify yourself and identify any testimony

1 that you are offering, please do so.

2 LESLIE PUGH

3 called as a witness on behalf of the Staff of the
4 Illinois Commerce Commission, having been first
5 duly sworn, testified in the narrative as follows:

6 THE WITNESS: I am an accountant in the
7 Financial Analysis Division of the Illinois
8 Commerce Commission.

9 I'm presenting ICC Staff Exhibit 1
10 entitled Direct Testimony of Leslie Pugh which was
11 filed on e-Docket on September 28, 2001. It
12 consists of eight pages of written testimony and
13 one three-page schedule.

14 If I were asked the same questions
15 today, the answer would be the same. I have no
16 changes, additions, or modifications of this
17 exhibit.

18 I am offering ICC Staff Exhibit 1 for
19 admittance into the record into this proceeding.

20 JUDGE JONES: And your name is Leslie Pugh. Is
21 that correct?

22 THE WITNESS: Yes.

1 JUDGE JONES: Okay. Thank you.

2 Any objections?

3 MS. KNOWLES: No objection.

4 JUDGE JONES: Let the record show that ICC Staff
5 Exhibit Number 1 sponsored by Ms. Pugh is admitted
6 into the evidentiary record as filed electronically
7 on September 28, 2001.

8 (Whereupon ICC Staff Exhibit 1 was
9 received into evidence.)

10 I think that concludes the evidence in
11 0378.

12 We'll proceed with 01-0381. Since it's
13 all one hearing, the witnesses are already sworn,
14 so we won't worry about that again, and we'll
15 proceed at this time.

16 MS. KNOWLES: Okay. The Company calls to the
17 stand Mr. Leonard Mans.

18 LEONARD MANS
19 called as a witness on behalf of the Respondent,
20 having been first duly sworn, was examined and
21 testified as follows:
22

1 DIRECT EXAMINATION

2 BY MS. KNOWLES:

3 Q. Mr. Mans, let me show you what has been
4 previously marked as UE Exhibit 1 which consists of
5 six pages of testimony along with a Schedule A with
6 a series of attachments and I ask you do you
7 recognize that testimony?

8 THE WITNESS:

9 A. Yes.

10 Q. Did you cause to be prepared and filed in
11 this docket, Docket Number 01-0381, the Direct
12 Testimony of Leonard Mans, including the schedule
13 of attachments?

14 A. Yes.

15 Q. And if I asked you those -- if I asked you
16 the same questions today on the record, would your
17 responses be the same?

18 A. Yes.

19 MS. KNOWLES: The Company offers into evidence
20 UE Exhibit 1 consisting of the Direct Testimony of
21 Leonard Mans.

22 JUDGE JONES: All right. And that would be

1 inclusive of Schedules A and B. Is that right?

2 MS. KNOWLES: That's correct.

3 JUDGE JONES: Let the record show that the
4 Direct Testimony of Mr. Mans identified as Exhibit
5 1 and including Schedules A and B is admitted into
6 the evidentiary record as filed electronically on
7 July 9, 2001.

8 (Whereupon UE Exhibit 1 was received
9 into evidence.)

10 MS. KNOWLES:

11 Q. And, Mr. Mans, let me show you what has
12 been previously marked and filed in this docket,
13 Docket Number 01-0381, and denominated the Rebuttal
14 Testimony of Leonard Mans along with attached
15 schedules and ask if you recognize that testimony?

16 A. Yes.

17 Q. Okay. Did you cause to be prepared and
18 filed in this matter the Rebuttal Testimony of
19 Leonard Mans consisting of two pages along with
20 attached schedules?

21 A. Yes.

22 Q. Okay. And if I asked you on the record

1 today the exact same questions, would your
2 responses be the same?

3 **A.** Yes.

4 MS. KNOWLES: Okay. The Company offers into
5 evidence Union Electric Company Exhibit 5 called
6 the Rebuttal Testimony of Leonard Mans along with
7 an attachments, and it also offers into evidence UE
8 Exhibit 3 which are the publication certificates
9 and UE Exhibit 4 which are data requests which have
10 been previously filed electronically in this
11 docket.

12 JUDGE JONES: Thank you. Let the record show
13 that request is granted. Accordingly, UE Exhibit
14 5, which is Mr. Mans's rebuttal testimony, is
15 admitted into the evidentiary record. It was filed
16 on October the 19th. It includes his rebuttal
17 testimony as well as Schedules 1, 2, and 3. Also,
18 Exhibit 4 is admitted into the evidentiary record
19 as filed on October the 19th. Also, Exhibit 3 is
20 admitted as filed electronically on August the 6th.

21

22

1 (Whereupon UE Exhibits 3,
2 4, and 5 were received
3 into evidence.)

4 MS. KNOWLES: Then for its final witness the
5 Company calls Donald Richardson.

6 DONALD RICHARDSON
7 called as a witness on behalf of the Respondent,
8 having been first duly sworn, was examined and
9 testified as follows:

10 DIRECT EXAMINATION

11 BY MS. KNOWLES:

12 **Q.** Mr. Richardson, let me hand you what has
13 been previously marked in this matter as UE Exhibit
14 2 and denominated the Direct Testimony of Donald
15 Richardson. It consists of ten pages of testimony,
16 and I ask if you recognize that material?

17 THE WITNESS:

18 **A.** Yes, I do.

19 **Q.** And did you cause to be prepared and filed
20 in this docket, Docket Number 01-0381, the Direct
21 Testimony of Donald Richardson?

22 **A.** Yes.

1 **Q.** And if I asked you today on the record the
2 exact same questions, would your responses be the
3 same?

4 **A.** Yes.

5 MS. KNOWLES: The Company offers into evidence
6 the Direct Testimony of Donald Richardson, UE
7 Exhibit 2.

8 JUDGE JONES: Let the record show that that
9 request is granted. UE Exhibit Number 2 is
10 admitted into the evidentiary record. It consists
11 of the testimony of Donald L. Richardson filed on
12 July 9, 2001. There is also an attachment to that
13 identified in the e-Docket system as Exhibits -
14 Item 2 filed on that same date. That will be
15 deemed part of that exhibit.

16 (Whereupon UE Exhibit 2 was received
17 into evidence.)

18 JUDGE JONES: All right. Thank you.

19 I think that covers the UE testimony, so
20 we have one last witness.

21

22

1 LESLIE PUGH

2 called as a witness on behalf of the Staff of the
3 Illinois Commerce Commission, having been first
4 duly sworn, was examined and testified as follows:

5 EXAMINATION

6 BY JUDGE JONES:

7 **Q.** Please state your name, please.

8 THE WITNESS:

9 **A.** My name is Leslie Pugh. I'm an -- do you
10 want me to continue?

11 **Q.** You don't need to say anything more in
12 terms of identifying yourself.

13 You are sponsoring some testimony at
14 this time. Is that correct?

15 **A.** Yes.

16 **Q.** Please identify that for us.

17 **A.** I am presenting ICC Staff Exhibit 1
18 entitled Direct Testimony of Leslie Pugh which was
19 filed on e-Docket on September 28, 2001. It
20 consists of seven pages of written testimony and
21 one schedule. If I were asked the same questions
22 today, the answers would be the same. I have no

1 changes, additions, or modifications of this
2 exhibit.

3 I am offering ICC Staff Exhibit 1 for
4 admittance into the record in this proceeding.

5 JUDGE JONES: Thank you.

6 Staff Exhibit 1 consisting of the Direct
7 Testimony of Ms. Pugh is admitted into the
8 evidentiary record in this case as filed
9 electronically on September the 28th, 2001.

10 (Whereupon Staff Exhibit 1 was
11 received into evidence.)

12 JUDGE JONES: All right. Lastly, during the
13 off-the-record discussion there was also some brief
14 conversation regarding the submission of suggested
15 orders in these proceedings. I believe the Staff
16 and Company have worked out a schedule. I'll just
17 read the final date of that schedule into the
18 record. If the parties believe that the other
19 dates should be added, we can do that.

20 In any event, the Company will be filing
21 with the Commission a suggested order in these
22 dockets on January the 4th, 2002. The official

1 filing may be made by regular mail or
2 electronically. That would be the Company's call
3 on that. A copy of that should be served
4 electronically on Staff and on me, and the copy
5 that is served on me should be in Word.

6 Okay. I think that's it. Any objection
7 to that schedule?

8 MS. KNOWLES: No.

9 MS. PUGH: No.

10 JUDGE JONES: Then that schedule is in place.

11 I believe that does it for these two
12 dockets for today's hearing.

13 Do the parties have anything else for
14 the record?

15 MS. PUGH: No.

16 MS. KNOWLES: No.

17 JUDGE JONES: All right. At this time then let
18 the record show the hearing in these two dockets is
19 over. The records in these two dockets are hereby
20 marked Heard and Taken.

21 HEARD AND TAKEN

22